

Item 13, pages 12-27

18/505541/FULL

Land Opposite St Anns Chapel Lane Thurnham Kent ME14 4PF

Following the submission of revised drawings, the Kent Ecological Advice Service were consulted, and replied on 22/07/2019 with the following;

Bats and Lighting

Although no evidence of roosting bats was found, the ecology report states that bats are likely to commute and forage over the site. Lighting can be detrimental to commuting and foraging bats so, as recommended within the report, we advise that the external lighting of the development should be designed in a way that negates the impact on bat activity.

To mitigate against potential adverse effects on bats, and in accordance with paragraph 180 of the National Planning Policy Framework 2019, we suggest that the Bat Conservation Trust's

'Guidance Note 8 Bats and Artificial Lighting' is consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for bats is submitted to the local planning authority, as recommended in the ecology report, and secured with an attached condition with any planning permission. Suggested wording:

"Prior to occupation a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to forage and commute;
- Show where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb bat activity.

All external lighting will be installed in accordance with the specifications and locations set out in the plan and will maintained thereafter in accordance with the plan."

Breeding Bird Informative

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds.

This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles

have fledged. We suggest the following informative is included with any planning consent:

“The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.”

Ecological Enhancements

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. The ecology report recommends appropriate enhancements which we advise are incorporated into an enhancement plan and secured via an attached condition with any planning permission.

Suggested wording:

“Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include the incorporation of recommendations in section 4.5 of the Extended Phase 1 Habitat Survey Report (Corylus Ecology November 2018). The approved details will be implemented and thereafter retained.”

Officer recommendation remains unchanged